

# GUIDE

FOR PROMOTING EFFECTIVE MANAGEMENT OF  
EMPLOYEE INVOLVEMENT IN COMPANY MANAGEMENT,  
AIMED AT STRENGTHENING EMPLOYEE PARTICIPATION  
AND CONSULTATION CAPACITIES IN THE POST COVID-19  
PERIOD IN TRANSPORT SECTOR COMPANIES

Project: "New Normal"- Building Workers' Post COVID19 Involvement and  
Consultation Capacity in Transport Undertakings - NeNPIC



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## 1. INTRODUCTION TO THE CONCEPT OF WORKER PARTICIPATION IN UNDERTAKING MANAGEMENT

The purpose of this guide is to highlight the principle of shared responsibility for effectively building a modern, global, sustainable and inclusive society. A very important group in our society is that related to the world of work and industrial relations. European directives focus on the involvement of employees in the management of the company, which brings us to the objective of the NENPIC project, which is to investigate how to strengthen the participation and consultative capacity of employees in companies in the transport sector of the COVID-19 era.

### 1.1 BASIC CONCEPTS

Talking about corporate management today means talking about **leadership and participation**.

The companies that are most sustainable in their markets, whatever their size and location, are based on human resources and industrial relations policies in which members of management work closely with the people in their teams to make important decisions about their operations. Time is taken to listen actively, diversity of opinion is valued and creativity is encouraged.

All this is based on **two fundamental pillars: respect for people** and a working environment in **which transparency and mutual trust** are the objective evidence. These principles activate a sense of belonging and commitment to the organisation's purpose. This has a positive impact on productivity and adaptability to new challenges in the business environment. Strategic elements that allow us to anticipate crises.

### 1.2 LEGISLATIVE BACKGROUND

#### 1.2.1 Key definitions and concepts highlighted in the EUROPEAN DIRECTIVES

The following are some of the definitions of employee involvement in the directives mentioned:

**Directive 2001/86/EC supplementing the Statute for a European company with regard to the involvement of employees.**

- ***Involvement of employees***

Information, consultation and participation, through which employees' representatives may exercise an influence on decisions to be taken within the company.



- **Information**

The informing of the body representative of the employees and/or employees' representatives by the competent organ of the SE on questions which concern the SE itself and any of its subsidiaries or establishments situated in another Member State or which exceed the powers of the decision-making organs in a single Member State at a time, in a manner and with a content which allows the employees' representatives to undertake an in-depth assessment of the possible impact and, where appropriate, prepare consultations with the competent organ of the SE.

- **Consultation**

Establishment of dialogue and exchange of views between the body representative of the employees and/or the employees' representatives and the competent organ of the SE, at a time, in a manner and with a content which allows the employees' representatives, on the basis of information provided, to express an opinion on measures envisaged by the competent organ which may be taken into account in the decision-making process within the SE.

- **Participation**

The influence of the body representative of the employees and/or the employees' representatives in the affairs of a company by way of:

- the right to elect or appoint some of the members of the company's supervisory or administrative organ, or
- the right to recommend and/or oppose the appointment of some or all of the members of the company's supervisory or administrative organ.

**Directive 2002/14/EC. General framework for informing and consulting employees in the European Community.**

- **Undertaking**

A public or private undertaking carrying out an economic activity, whether or not operating for gain, which is located within the territory of the Member States.

- **Employer**

The natural or legal person party to employment contracts or employment relationships with employees, in accordance with national law and practice.

- **Information**

Transmission by the employer to the employees' representatives of data in order to enable them to acquaint themselves with the subject matter and to examine it.

- **Consultation**

The exchange of views and establishment of dialogue between the employees' representatives and the employer.

## **Directive 2009/38/EC. Establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees**

- **Information**

Transmission of data by the employer to the employees' representatives in order to enable them to acquaint themselves with the subject matter and to examine it; information shall be given at such time, in such fashion and with such content as are appropriate to enable employees' representatives to undertake an in-depth assessment of the possible impact and, where appropriate, prepare for consultations with the competent organ of the Community-scale undertaking or Community-scale group of undertakings.

- **Consultation**

The establishment of dialogue and exchange of views between employees' representatives and central management or any more appropriate level of management, at such time, in such fashion and with such content as enables employees' representatives to express an opinion on the basis of the information provided about the proposed measures to which the consultation is related, without prejudice to the responsibilities of the management, and within a reasonable time, which may be taken into account within the Community-scale undertaking or Community-scale group of undertakings.

### **1.2.2 Transport and the Green Deal, new challenges**

- **Ensuring efficient, safe and environmentally friendly transport**

With transport contributing around 5% to EU GDP and employing more than 10 million people in Europe, **the transport system is critical to European businesses and global supply chains**. At the same time, transport is not without costs to our society: greenhouse gas and pollutant emissions, noise, road crashes and congestion.

Today, transport emissions represent around 25% of the EU's total greenhouse gas emissions, and these emissions have increased over recent years. Our goal of being the first climate-neutral continent by 2050 **requires ambitious changes in transport**. A clear path is needed to achieve **a 90% reduction in transport-related greenhouse gas emissions by 2050**.

The European Commission adopted a set of proposals to make the EU's climate, energy, transport and taxation policies fit for reducing net greenhouse gas emissions by at least 55% by 2030, compared to 1990 levels.

Source: [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/transport-and-green-deal\\_es](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/transport-and-green-deal_es)



- **More sustainable and efficient freight transport**

11 July 2023 – The Commission proposed a package to make freight transport more efficient and sustainable in the EU. This will help to contribute to the target of cutting transport emissions by 90% by 2050, as set out in the European Green Deal, while allowing the EU single market to continue growing. Measures within the package include improving rail infrastructure management, providing new incentives for using low-emission lorries, and a common methodology for companies in the freight sector to calculate greenhouse gas emissions.

Source: [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/transport-and-green-deal\\_es](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/transport-and-green-deal_es)

- **European climate legislation**

The European climate law regulation turns the political ambition of reaching climate neutrality by 2050 into a **legal obligation** for the EU.

By adopting it, the EU and its member states committed to cutting net greenhouse gas emissions in the EU by **at least 55% by 2030**, compared to 1990 levels. This target is legally binding and based on an impact assessment carried out by the Commission.

Source: [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/transport-and-green-deal\\_es](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/transport-and-green-deal_es)

- **Green fuels**

### **What are they?**

In the mobility sector, there are effective ways of reducing emissions without harming the environment. These alternatives (bioethanol, biobutanol, biodiesel, organic waste) are derived from natural resources or organic waste such as starch, sugar, vegetable oils, animal fats and tallow.

Their use in logistics results in **lower economic costs and less environmental pollution, making them the preferred solution for many manufacturers and logistics operators.**

One of the most common applications of these fuels in logistics is the **transport of goods by road and sea**, as they are more efficient and cost-effective than fossil fuels.

- They allow hauliers to **save money through lower fuel costs.**
- In addition, these energy sources **help to reduce the negative impact on the environment**, as they do not release as many greenhouse gases.

### **Benefits: what are they?**

Below are the **benefits of using biofuels.**

- They are a **renewable and clean source of energy** with no harmful emissions to the environment.
- It is also an **economical alternative**, which makes it attractive to companies and organisations in the transport and logistics sector. This is because **it can help reduce fuel costs**, which can improve the efficiency of a transport fleet.
- They can be used in **many different areas**. These include **vehicles, aircraft, boats, agricultural machinery and generators**.
- They have **high energy efficiency**, not as high as traditional ones of course, but they are worth it. This allows vehicles to transport goods over long distances using the same fuel.

For these reasons, **the use of biofuels is a viable alternative for modern mobility**. They provide clean, renewable energy that helps reduce greenhouse gas emissions, contributing to a more sustainable future.

Source: Extract from the article. [www.aupatrans.com](http://www.aupatrans.com)

### 1.3 EXPERIENCE IN THE TRANSPORT SECTOR. NENPIC PROJECT

We would like to highlight the analysis extracted from the comparative report between the partner countries of the NENPIC project on the experience of information and consultation in the context of COVID-19 in two different aspects, i.e. measures to prevent contagion (health crisis) and measures to best maintain the company and ensure business continuity in the transport sector (economic crisis).

#### 1.3.1 Evaluation of procedures for INFORMING AND CONSULTING employees on how best to avoid and prevent contagion

NENPIC		INFORMING AND CONSULTING EMPLOYEES ON INFECTION PREVENTION																	
COUNTRY	Selection of protective equipment to be used, such as gloves, masks, etc.		Information to be provided on COVID-19; symptoms, means of contamination, preventive habits, etc.		Information to be communicated on measures introduced by the government to protect the population and affecting the sector due to the total or partial shutdown of activities in the transport sector		Appropriate channels to reach all workers quickly and effectively		Information on how to perform tasks safely for employees and customers		Training to convince transport users to use protective measures and observe hygiene rules		Satisfaction with usefulness of information received		Satisfaction with usefulness of training provided		Perception of safety and protection from contagion due to measures implemented by the organization		
	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	
CROATIA	X		X		X		X		X		X		X		X		X		
POLAND	X		X		X		X		X		X			X		X		X	
SERBIA	X		X		X		X		X		X		X		X		X		
MONTENEGRO	X		X		X		X		X		X		X		X		X		
LITHUANIA	X		X		X		X		X		X		X		X		X		
NORTH MACEDONIA		X		X		X			X			X		X		X		X	
ITALY	X		X		X			X		X		X		X		X		X	
SPAIN	X		X		X		X		X		X		X		X		X		

Figure 1



### 1.3.2 Evaluate procedures for INFORMING AND ADVISING employees on how best to maintain the business and ensure business continuity

NENPIC	INFORMING AND CONSULTING EMPLOYEES ON WORK REORGANISATION DUE TO REDUCTION IN TRANSPORT ACTIVITIES															
COUNTRY	Closure of organisation. Discontinuation of activities		Reduction in workforce. Redundancies		Temporary suspension of employment (for a limited period)		Reduction in salary received		Extension of working hours		Reduction in working hours		Switching to teleworking for some positions		Unable to adapt jobs to teleworking mode	
	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation	POSITIVE evaluation	NEGATIVE evaluation
CROATIA		X		X	X			X		X		X	X		X	
POLAND		X		X		X		X		X		X		X		X
SERBIA		X		X	X			X		X	X		X		X	
MONTENEGRO		X		X	X		X		X		X		X		X	
LITHUANIA		X		X		X		X		X		X		X		X
NORTH MACEDONIA		X		X		X		X		X		X		X		X
ITALY		X		X		X		X		X		X	X			X
SPAIN		X		X		X		X		X		X	X		X	

Figure 2

It is worth highlighting the wide variation in assessments from case to case. We see positive evaluations of the measures taken to prevent contagion and damage to the health of employees. However, it is also possible to see negative evaluations regarding the provision of information and consultation on the measures that management considered necessary to ensure the viability of the company during the economic crisis caused by the cessation of activities in the transport sector due to the pandemic. The **lack of information and the few cases where consultation took place led to a negative assessment of the experience during this period**, when it was very difficult to reach agreement on the restructuring of transport companies.

## 1.4 COMMUNICATION AS THE KEY TO SUCCESSFUL RESTRUCTURING OF THE SECTOR

Due to both the **health and economic crises** caused by COVID-19 **between 2019 and 2021**, as well as the alignment with European **policies set out in the Green Deal to achieve climate neutrality by 2050**, the **restructuring of transport companies** may become a complex process (involving a series of changes and adjustments in the organisation and management of companies in the sector) that is embedded over time.

For this reason, we can begin to see as **fundamental the involvement of employees** in the planning of **restructuring processes**. Restructuring involves the **continuous introduction of significant changes** in the organisational, strategic and financial structure.

The ultimate goal is to overcome crises, adapt to legislative and technological changes and, as a result, keep the company sustainable and competitive in the market.

In order to avoid internal and external uncertainty and lack of confidence in the strategies outlined, **it is necessary to increase the involvement of employees**. This participation begins with the **company fulfilling its obligation to inform and consult** in an atmosphere of total transparency and mutual trust between employees and management.

In our sector, we knew that a solid strategy of cost reduction and internal reorganisation was needed to face the economic crisis caused by the impact of COVID-19. We have seen the emergence of business diversification and the disappearance, mergers and acquisitions between companies, even between neighbouring countries.

As we mentioned in the previous section, referring to the conclusions of the *European Transport Sector Meeting 2023*, most of the participating countries showed a **very poor vision, in some cases scarce or non-existent, to exercise the right of information and consultation of workers in the decision-making process in all restructuring processes** caused by the impact of COVID-19 on the sector.

We understand that **communication is a KEY factor** for success in the **post-crisis restructuring process**. As is the case for maintaining the sector's business throughout the fair transition process that is approaching in the form of each of the administrative and technological regulations of the GREEN DEAL. The sector's alignment with European policies will lead us in the near future to the use of alternative fuels and intermodal cooperation in transport.

### Our focus is on:

- **social dialogue** between governments, trade unions and employers' organisations;

- **dialogue** between workers, their representatives and management;
- **dialogue** between national and European works councils and company management.

**Employees** are a company's most important resource. They should therefore never find out about company decisions that directly affect them from the press, as was the case for some of the workers involved in this project.

In a crisis situation, and in the face of constant change due to the technological evolution required by law, **it is necessary to maintain a constant channel of communication with employees** in order to avoid anxiety, helplessness and demotivation.

To the extent that employees have a clear perspective of their own and the company's future, they will be able to commit themselves to the efforts required today to maintain the viability of the transport sector.



## 2. DETERMINANTS OF EMPLOYEE INVOLVEMENT

When we talk about promoting worker participation in company management, we have to start from the need to develop **strategies within companies to strengthen worker participation, capacity and consultation.**

Below we highlight the factors that have determined how information and consultation processes have taken place in our organisations.

It is recommended that these factors be taken into account when developing the above-mentioned strategies.

### 2.1 SITUATIONAL FACTORS

### 2.2 LIMITING FACTORS

### 2.3 ACCELERATING FACTORS

#### 2.1 SITUATIONAL FACTORS

These are factors that allow us to situate ourselves and help us to define very concretely the contextual framework in which the **business strategy for information and consultation** is embedded in our organisation. All we need to do is answer each of the following questions.

Our motivations, and therefore our answers, may change if we consider that the **assumptions about information and consultation are a fundamental right of employees or a fundamental duty of management.**

**Why?** If the answer to this question is because it is mandatory, then other questions arise. What happens to me if I am not informed? What happens if I am not consulted? What could happen to the company? What are the advantages and disadvantages for the employee and management of complying or not complying with the standard?

**What for?** We think this is a **key question**, the main purpose of this law, its **purpose is linked to the vision we have as an organisation**, to be clear about where we want to go, to feel engaged and committed to the vision of our organisation, it develops us as people and gives us dignity in our work.

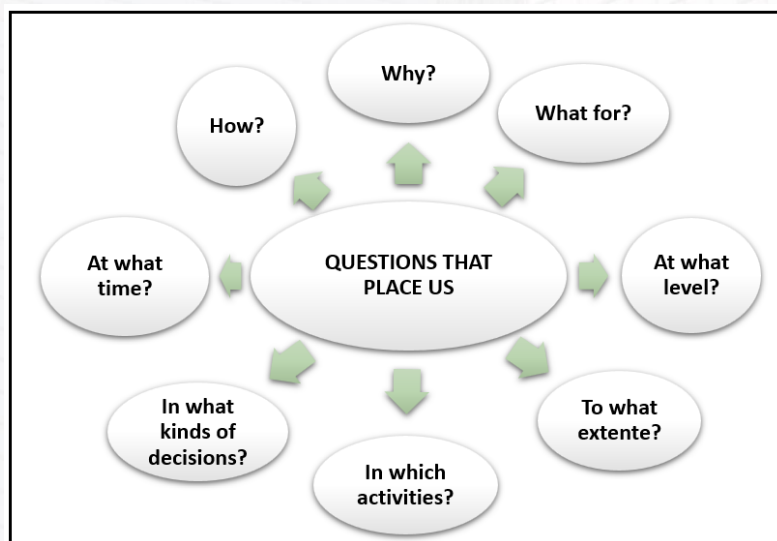
**At what level?** We can speak of 3 levels of employee involvement: **1st level: information**, what I know influences my thinking, my actions, **2nd level: consultation**, I have an opinion and my arguments are heard, **3rd level: participation**, I take part in solving the problem, I am involved in the outcome.

**To what extent?** We may come across one of the great debates about this right, to what extent am I informed, consulted/consulted and to what extent **am I NOT?**

There are barriers to information on certain issues. Identifying the cause is the first step to removing these barriers.

**In what activities? In what kind of decisions?** With these questions in mind, we can see that the red lines for information and consultation in the company have been defined.

**When, at what time? How, in what way?** These are aspects that are commonly used in negotiating agreements and allow us to establish a protocol and a calendar of interactions, to determine whether employee involvement is present in our policies and in our organisation's values as a good habit, or whether, on the contrary, we follow minimum mandatory deadlines.



**Figure 3**

## 2.2 LIMITING FACTORS

### 2.2.1 INTERNAL BARRIERS

Let us now discuss the limiting factors that may prevent us from shaping the organisation to ensure effective employee involvement at any of the three levels mentioned above.

**Policy.** This is the statement in which the interests of the company are set out; all actions and decisions are compressed into these policies. If an issue is not mentioned in the policy, it is not considered critical to the management of the company.

**Management system.** Includes the procedures implemented in each aspect of management. The system will limit the ways and means of employee involvement in the management of the company.

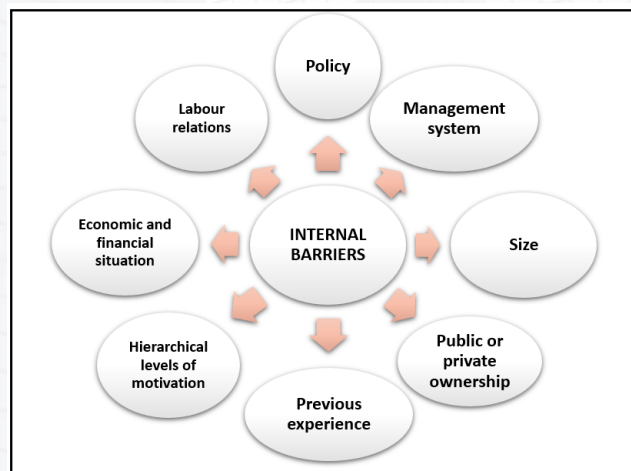
**Size.** This is a key aspect because, depending on the size of the company, employees will have the opportunity to be represented by other colleagues they have chosen as important interlocutors in negotiations with management.

**Ownership.** Like size, it will determine the speed of information transfer, with regulations in public companies facilitating these rights more than in private companies.

**Previous experience** and motivation at different levels of the hierarchy. Bad experiences in the past affect our motivation and confidence.

**Economic and financial situation.** In these difficult times of economic crisis and great difficulties in relations with banks. The need to restructure companies in the transport sector is becoming more and more apparent. Past experience has shown that in such circumstances information arrives after decisions have already been taken by management.

**Labour relations.** Here we emphasise the need to negotiate, to reach agreements within the company. We must be able to mediate within our structures without prejudice to the employee and his representatives. If this is not the case, it is an obstacle to the free exercise of legal representation.



**Figure 4**

### 2.2.2 EXTERNAL BARRIERS

Let us now consider those circumstances that come from outside our organisation and are beyond our control. We can, however, manage their impact.

**Legislation.** The lack of detail in legislation leaves room for interpretation and negotiation within each company, which requires effective management of

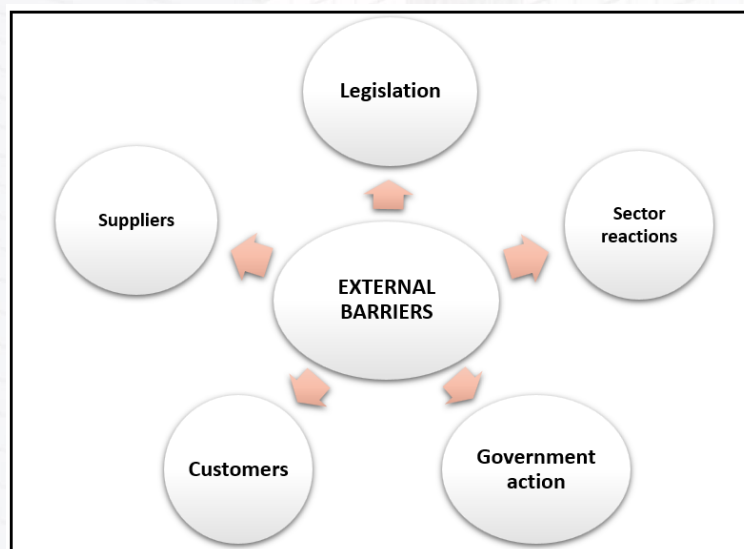


information and consultation processes. There is no defined liability or penalty for companies for non-compliance or non-implementation of this legislation.

**Sector reactions.** If our closest competitor does or does not have such processes in place, this conditions the view of the importance of these premises. Nobody does it, and neither do we!

**Government action.** In crisis situations in Europe, there are very few governments whose campaigns are designed to support the right to consultation and information. Nor are there clear policies that favour or encourage companies to facilitate these activities. There are successful models, such as Germany's, which are beyond the reach of most governments in the rest of Europe.

**Customers and suppliers.** They condition and constrain the speed of service in our organisations and therefore the pace of work.



**Figure 5**

## 2.3 ACCELERATING FACTORS

### 2.3.1 INTERNAL ACCELERATORS

The same factors listed above as internal barriers can be considered as facilitators and accelerators of effective management of these rights.

**Policy.** When employee participation is described in policy statements as a strategic value of the company.

**Management system.** Where consultation and participation are already built into management procedures.

**Size.** If our company is small, direct dialogue with employees is facilitated. And if it is large, the legal representation of employees will be promoted, so that they can interact with members of management who are qualified to make decisions.

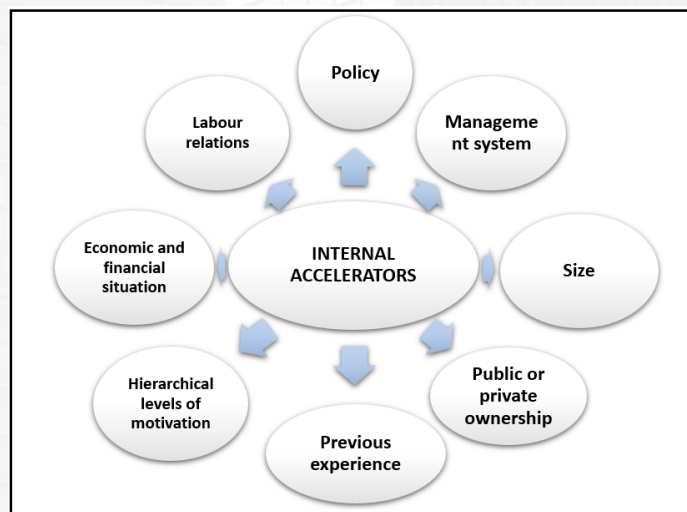
**Public or private ownership.** As a private company, agreements can be reached much more quickly and efficiently. In the case of a public company, employees' rights are considered to be of unquestionable value.

**Previous experience.** We are very aware of the activities, management methods, our behaviour and the elements that contributed to the success of the participation experience on other occasions. What did the health management process look like in the face of COVID-19 in our company in order to be successful together?

**Motivation at different hierarchical levels.** If we are clear about our responsibilities and tasks, and the company allows us to be trained to work effectively, we will always feel confident to cooperate and participate in improvements.

**Economic and financial situation.** A clear picture of the company's financial situation allows us to anticipate and manage our personal needs. Information enables us to act in a timely manner.

**Labour relations.** Dignity at work, harmony and a clear objective to find the common good among employees in order to increase competitiveness, based on the commitment of all those who work in the company, whether they are core employees, managers, middle managers or directors. This allows us to negotiate on the basis of what is **technically and economically feasible in the circumstances**, rather than on the basis of **desirable positions that may not be realistic on a case-by-case basis due to a lack of complete information.**



**Figure 6**

### 2.3.2 EXTERNAL ACCELERATORS

We need to pay attention to external circumstances that may favour the strategy to be followed in order to achieve the full realisation of the right to information and consultation. It will therefore be necessary to have a comprehensive knowledge.

**Legislation.** It is necessary to be informed and to know the deadlines set by the articles of the European directives and the deadlines by which legislation has been adopted in our country.

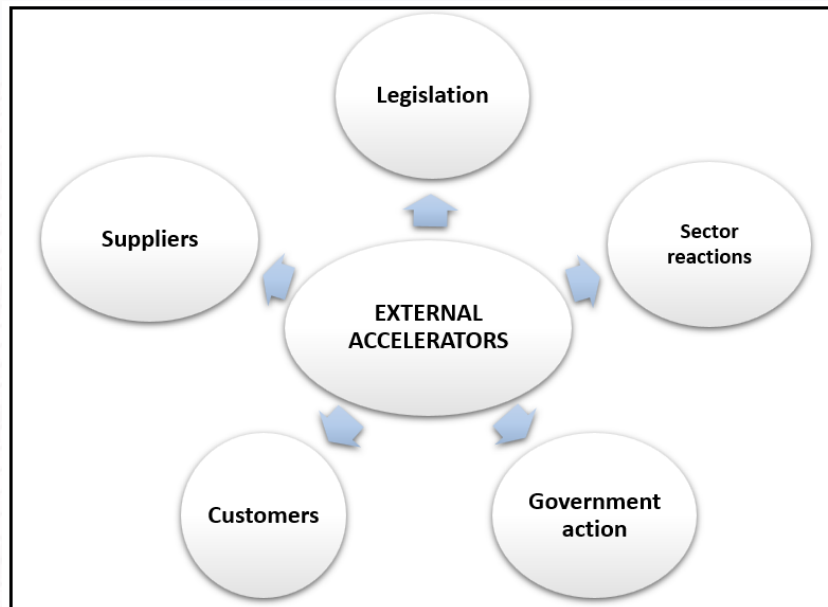
**Sectoral reactions.** Business associations and trade unions play a key role in providing advice and support to companies operating in the sector and their employees. They have an important influence in promoting effective strategies, from training to sharing good practice and successful experiences.

**Government action.** From the point of view of **social dialogue, it is crucial to talk to trade union organisations** in order to be heard by local and national authorities in order to define policies and actions that favour workers' rights, especially in times of crisis and technological change. The protection of official institutions and bodies is more important than ever.

**Clients.** Employee engagement is a huge competitive advantage in today's markets, as the level of commitment and pride of belonging is communicated to customers in the way we deliver our services.

**Suppliers.** When there is an atmosphere of shared responsibility and mutual trust within the company, suppliers become our strategic partners and decisions are more flexible because the whole organisation has a single objective and criterion, which facilitates dialogue.





**Figure 7**

As we can see, **the success of employee engagement is determined by the actions** of both parties, companies and employees, **KNOWLEDGE, SKILLS AND WILL**. This means that employees have the **PERMISSION AND PROTECTION** to exercise these rights and, on the other hand, employers understand the **IMPORTANCE AND PURPOSE** of these rights to the extent that they recognise them as a competitive advantage of this way of managing the company.

### 3. KEY FACTORS FOR INFORMED ENGAGEMENT. AUTODIAGNOZE

It can be interpreted that the effective exercise of the fundamental rights to information and consultation that employees have is a duty of co-responsibility for what is highlighted as **aware involvement**, a co-responsibility for the information that has already been provided or for the action on which a response or an opinion has been requested or on which we have been asked to respond or give an opinion.

We would like to emphasise that the ultimate objective is to be fully committed to the common good, to the sustainable development of the company and to the professional development of its employees. All this in an atmosphere of mutual trust and maximum transparency of the intentions of the decisions taken.

Therefore, we understand that the time has come to **give an account of our attitudes**, whether we represent employees or company management. Our attitudes will be evidenced by our reactions, behaviours that characterise our level of commitment to the company in which we provide services.

#### 3.1 TIPS FOR SELF-DIAGNOSIS OF ATTITUDES TO INFORMATION AND CONSULTATION

Below is a table summarising statements that represent the possible reactions of employees, employee representatives and staff representing the management and owners of the company. The purpose of this table is to encourage us to reflect on our own behaviour and that of the other party in the company segmentation.

In this way, it can be assessed whether we feel identified with any of these reactions, in relation to the process of information, consultation and participation in decision-making, in aspects related to the management of the company.

The greater the identification with the reactions of a given block, the greater the identification with the **TYPE of ATTITUDE** it represents, dependent or independent attitude.

Signs of ATTITUDE	On the part of EMPLOYEES			On the part of COMPANY MANAGEMENT		
	Reactions	YES, I identify myself	NO, I do not identify myself	Reactions	YES, I identify myself	NO, I do not identify myself
DEPENDENCY	I don't have to share an opinion.			I don't need to ask anything because the board has enough information.		
	I do what my job description indicates.			They are paid to do their job.		
	I get paid to do my job.			We tell them how to organise themselves and what they need to do if we think some improvements are needed.		
Signs of ATTITUDE	On the part of EMPLOYEES			On the part of COMPANY MANAGEMENT		
	Reactions	YES, I identify myself	NO, I do not identify myself	Reactions	YES, I identify myself	NO, I do not identify myself
INDEPENDENCE	I share my opinion when I am asked to do so.			I only ask when I need specific information.		
	My job is not to oversee other people's work because I have enough to do by dedicating the time required for my position.			If something doesn't work, I <u>have to</u> quickly ask whose fault it is, as this is the only way to make progress.		
	Everyone needs to be involved in improving their own work without commenting on the work of others.			I constantly <u>have to</u> monitor how each employee is performing by asking them directly.		
Signs of ATTITUDE	On the part of EMPLOYEES			On the part of COMPANY MANAGEMENT		
	Reactions	YES, I identify myself	NO, I do not identify myself	Reactions	YES, I identify myself	NO, I do not identify myself
INTER-DEPENDENCE	I suggest solutions when I see room for improvement, even if it is not in my area.			I convene meetings involving different departments to discuss possible improvements to increase company productivity.		
	I ask colleagues how they think I can improve some of my processes/tasks.			I value input and encourage new channels of participation.		
	I talk to managers about what works and what doesn't work in my department's operations and how I think it affects the others.			In some management committees, employees share specific data about their areas.		

**Figure 8**

The reactions and behaviours in the category of **INTER-DEPENDENT POSITION**, from both employees and company management, are what will lead us to exercise our rights authentically and effectively to information and consultation and to be able to influence the future of our organisation.



## 3.2 HOW TO INCREASE MOTIVATION TO PARTICIPATE. 5 TIPS, PRACTICAL MATERIALS

### 5 TIPS, PRACTICAL ADVICE

Implementing and sustaining a cultural change that integrates **PARTICIPATION** as a natural element takes time.

The transport sector, within the framework of Agenda 2030 and in view of the challenges that Europe is promoting within the framework of the objectives of the GREEN DEAL, Agenda 2050, is facing a **just transition** in which the transport sector will become a sustainable and competitive sector in the market, only if employees cooperate and participate as stakeholders.

We therefore reaffirm that it is crucial for the transport sector to **effectively strengthen workers' fundamental right to information and consultation**.

**As in any process**, there will be moments where **evidence of success** is visible, but there will also be moments where **stagnation or even regression is noted**.

Implementing new behaviours in an organisation does not happen in a linear fashion, so we present a number of **TIPS** that should be applied throughout the process:

1. **COOPERATION**, showing willingness and diligence at all times, even on grey days;
2. **CONTINUING IMPROVEMENT**, communicating what small or large changes can be made to the work to make it more effective, efficient and successful;
3. **FLEXIBILITY** as new rules and procedures are implemented, adjustments will need to be made. These are natural in any process of change and transformation and should be taken into account;
4. **SERENITY TO ENABLE LEARNING**. Nerves will get us nowhere. In the first days of implementing new procedures, there will be doubts until we get going. Let's do it with calmness, which promotes learning;
5. **TEAMWORK**. We all depend on each other. It will be necessary to look at the colleagues next to us, because we are not working alone. *"What I do or don't do affects everyone"*.

#### 4. ROADMAP FOR THE EFFECTIVE PROMOTION OF EMPLOYEE INFORMATION AND CONSULTATION IN COMPANY MANAGEMENT IN THE POST COVID-19 ERA

We will now outline a roadmap for progress in the **effective implementation of employee involvement processes in corporate governance**.

The starting point is the objective of the **NENPIC project**, which focuses on **making visible the importance of strengthening the fundamental rights of workers**, in particular the **right to be informed and consulted** on all aspects affecting their performance in the company or organisation to which they belong.

This plan, which we can call the **ROADMAP**, is based on the experience of the transport sector in the post COVID-19 era.

The **NENPIC project** wants to highlight this moment in Europe, a period (2019\_2021) that is strategic and in which the need for employee involvement has become even more evident for the **survival of companies in the transport sector**.

We present a **graph summarising the ROADMAP**.



Figure 9

## 4.1 OVERVIEW OF THE OBJECTIVES OF EMPLOYEE INFORMATION AND CONSULTATION

A review of the purpose of information and consultation activities is crucial at this point in time, as we focus on **strengthening employee participation and consultation capacity in transport sector companies in post COVID-19 era.**

We will only be able to assess the relevance and effectiveness of the information and consultation processes in our company if we compare these processes with **the relevance and purpose they have within the legal framework and with current efforts towards corporate sustainability.**

Therefore, we will now review the answers to the questions why and what for information and consultation is carried out.

### Why?

**Above all**, this is because the **fundamental right** of workers who are employed in a company is the right to be informed and consulted on all matters concerning their future and the conditions under which they will carry out their work.

It is for this reason that, within the employment relationship, the fundamental rights of the worker are fully effective as a limitation on the managerial power of the employer, and the **employer is obliged to respect these workers' rights.**

**Secondly**, because, in view of the current challenges facing the sector, it is a **great competitive advantage** that the people who work in the company feel motivated and that this motivation leads them to **be more identified with and committed to their objectives and to share responsibility for overcoming the difficulties of the current challenges** facing the transport sector, post COVID-19.

What for?

To help **create a culture of dialogue within organisations.**

Current European Community legislation **promotes social dialogue between the social partners.** Its aim is to define and implement an employment strategy based on the concepts of **anticipation, prevention and employability.** These concepts must be incorporated as key elements of company policy in order to facilitate the processes of change imposed on the transport sector by the current market challenges, while at the same time safeguarding the priority objective of employment.

In many cases, legislation is regulated a posteriori, which does not help to prevent risks.

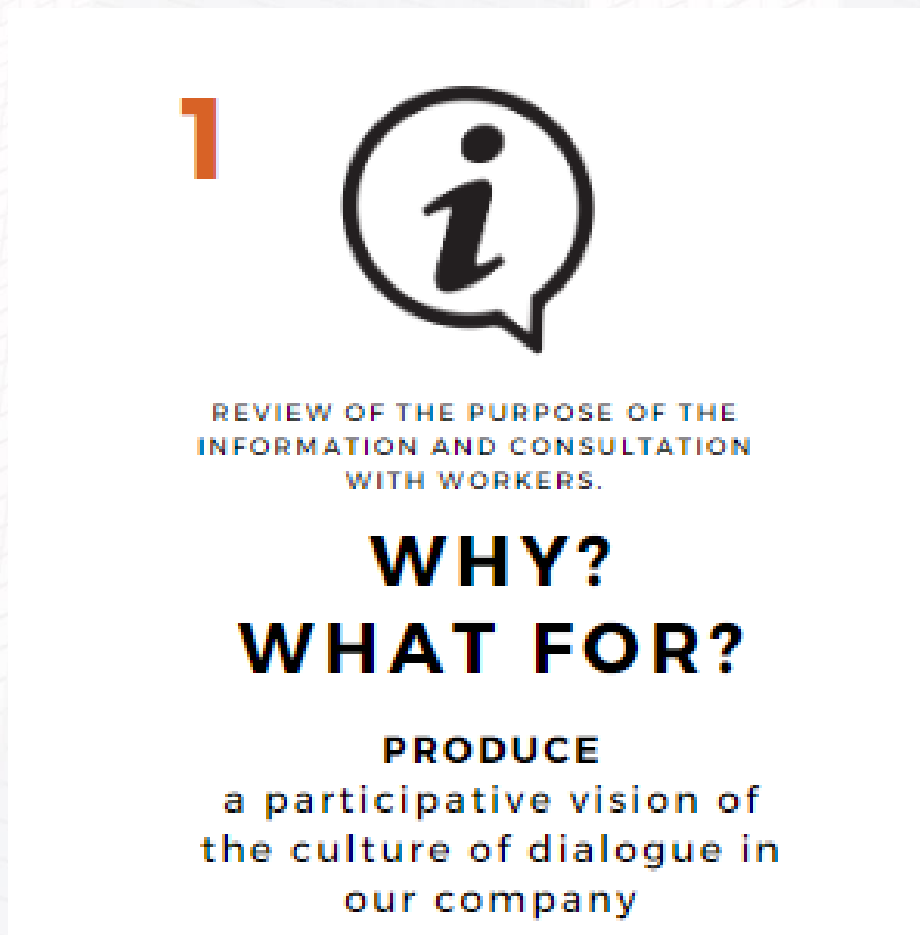
For all these reasons, trade unions and employers' organisations **need to agree, within the framework of the social dialogue,** on mechanisms to encourage workers, their representatives and members of management to **participate together** in the sustainable development of the company in the current market.



The agreements should apply the following principles.

Promote **genuine dialogue, mutual trust, active listening** between the parties and **appropriate action**.

After analysing the meaning and purpose of information and consultation, it is time to **DEVELOP a participatory vision for a culture of dialogue in our company**.



*Figure 10*

## 4.2 DIAGNOSIS OF EMPLOYEE INFORMATION AND CONSULTATION IN OUR ORGANISATION

In this section we will focus on looking for clues that will help us not only to assess the **level of commitment to information and consultation in the organisation I belong to**, but also to **discover what my personal motivation is in relation to information and consultation**.

- ✓ Let's do the following individual exercise, **let's analyse what my personal motivation is in relation to information and consultation, which position do I identify with most?**

**This motivation can be of two types:**

- **internal motivation**, i.e. that which arises from factors specific to the individual. Examples:
  - ***if I am an employee, my attitude might be:*** "I want to be involved/committed to the successful development of our company";
  - ***if I am a manager, my attitude might be:*** "I want to make decisions with my teams to achieve a unique vision for the successful development of our company".
- **external motivation: motivation that comes from external elements. Examples:**
  - ***if I am an employee, my attitude might be:*** "Others will tell me what to do";
  - ***if I am a manager, my attitude might be:*** "Employees will be given the minimum information to fulfil their legal obligations".

We should not lose sight of the fact that the **motivation** for the information and consultation processes that the **organisation** in which we work has **is the sum of the individual motivations of each of us who works in the company**, conditioned by the history of experience and the current situation in the sector, which at the moment means an economic crisis in relation to COVID-19.

- ✓ Let's move on to the next exercise to explore the **evolution of the implementation of information and consultation processes with employees in our company**.

Let us analyse the level of information and consultation in our company. What is the reality?

Let's identify three levels:

### Engagement 1.0:

As an organisation we have a **PASSIVE attitude**, we inform and consult because we have no choice, we are in a **state of DEPENDENCY** on what others do or say. **If possible, we avoid the effort involved.**

### Engagement 2.0:

As an organisation, we adopt a **REACTIVE attitude**, we inform and consult as a reaction to a problem, we are in a **state of INDEPENDENCE**, in which we act according to what will benefit the conduct of these processes or the sanction of not doing so. **Bureaucracy.**

### Engagement 3.0:

As an organisation, we have a **PROACTIVE attitude**, we inform and consult as **evidence of our culture of dialogue**, we are in a **state of INTER-DEPENDENCY** state where the company is managed from the interrelationships and interests of all parties. We can see the commitment, the conscious leadership of people with and without positions, and we all experience the **pride of belonging to our company, for the contribution of my contributions and those of my colleagues.**

In this diagnosis, it is essential to be realistic and self-critical in order to be **clear about our starting point** in terms of promoting employee involvement in management.

It is time to reaffirm and commit ourselves to our vision of a culture of dialogue, because if this is the case, we must **move on to ACTION.**



**2**



**DIAGNOSIS ON THE EXERCISE OF  
 WORKERS' RIGHTS AND EMPLOYERS'  
 OBLIGATIONS ON INFORMATION AND  
 CONSULTATION**

What is my personal  
 motivation regarding  
 information and consultation?

**INTRINSIC  
 motivation?**

**EXTRINSIC  
 motivation?**

What is the level of information and  
 consultation in our company?

Involvement  
**LEVEL 1.0:**  
 PASSIVE  
 attitude  
**DEPENDENT**  
 status  
 I try to avoid  
 the  
 effort it  
 requires.

Involvement  
**LEVEL 2.0:**  
 REACTIVE  
 attitude  
**INDEPENDENT**  
 status  
 I try to avoid  
 the effort it  
 requires

Involvement  
**LEVEL 3.0:**  
 PASSIVE  
 attitude  
**INDEPENDENT**  
 status  
 I try to avoid  
 the effort it  
 requires.

**Figure 11**

## 4. 3 DEVELOP AN ACTION PLAN TO ENSURE EFFECTIVE MANAGEMENT OF EMPLOYEE INFORMATION AND CONSULTATION

To design the action plan, we will take into account the following milestones, which we will call "**NENPIC STEPS**" in the context of the project.

- Formation of a GUIDE team.
- Training of the GUIDE team.
- Identification of obstacles, barriers to information and consultation and their possible causes.
- Updating the information and consultation procedure for workers in the post COVID-19 era.
- Communication plan.

**1<sup>st</sup> NeNPIC step. Formation of a GUIDE team.** It should be mixed, with equal participation of management and workers' representatives.

- **From the workers' side** the following can be chosen:
  - workers' representatives;
  - members of the union(s);
  - members of the national works council;
  - members of the European Works Council;
  - members of the select committee.
- **On the management side:**
  - members of the management board;
  - members of the board of directors.

The task of this team will be to **draw up an action plan to ensure effective management of information and consultation.** It may **coincide with any of the representative bodies already established by law** and in office at the time of the design and implementation of the action plan. The main characteristic of this team should be its **commitment to the culture of dialogue and a genuine interest in the involvement of employees in the management of the company.** This will promote the principles of transparency, mutual trust, active listening and careful coordination, which are necessary for the good progress of teamwork.

**2<sup>nd</sup> NeNPIC step. Training the GUIDE team.**

Adequate training is required to carry out this task properly.

**The content, delivery and duration of the training** will be agreed between the members of the GUIDE team, with the responsibility for delivering the training resting with the company, **at no cost or detriment to the employees participating in the training activities.**

**3<sup>rd</sup> NeNPIC step. Identify obstacles, barriers to information and consultation and their possible causes.**

Albert Einstein said that it is folly to think that by doing the same thing over and over again we will get different results.

We need to learn from what we have done well and what has produced positive results, we can seize the opportunity by turning these actions into good practice, but we also need to learn from mistakes and difficulties.

So at this point, before developing a procedure for action, we should keep in mind the problems we have encountered along the way, as perceived by both parties. Therefore, we will now analyse the following issues:

- barriers/obstacles;
- the action, moment or circumstances in which they occurred;
- possible causes;
- possible solutions.

#### **4<sup>th</sup> NeNPIC step. Updating the information and consultation procedure for employees in the pocovid era.**

Other aspects of the information and consultation procedure include the following:

- Objective:

To establish minimum requirements for the exercise of the right to information and consultation of employees in companies or workplaces.

- Definitions and key terms used in the procedure.
- Scope of the procedure:
  - geographical;
  - target population;
  - thematic;
  - temporal;
  - duration
- Means of information and consultation.
- Negotiating committee agreement.
- Powers of the Negotiating Committee and its members.
- Training programme.
- Types of meetings. Organisation of meetings. Venues for meetings. Budget allocation. Specification of direct costs.
- Notices and agendas for meetings. Model minutes.
- Calendar of meetings. Frequency of meetings.
- Criteria for quality and good management of the information and consultation process.
- Aspects subject to internal audit by the GUIDE team. Calendar.
- Criteria for reviewing the procedure.
- Etc.

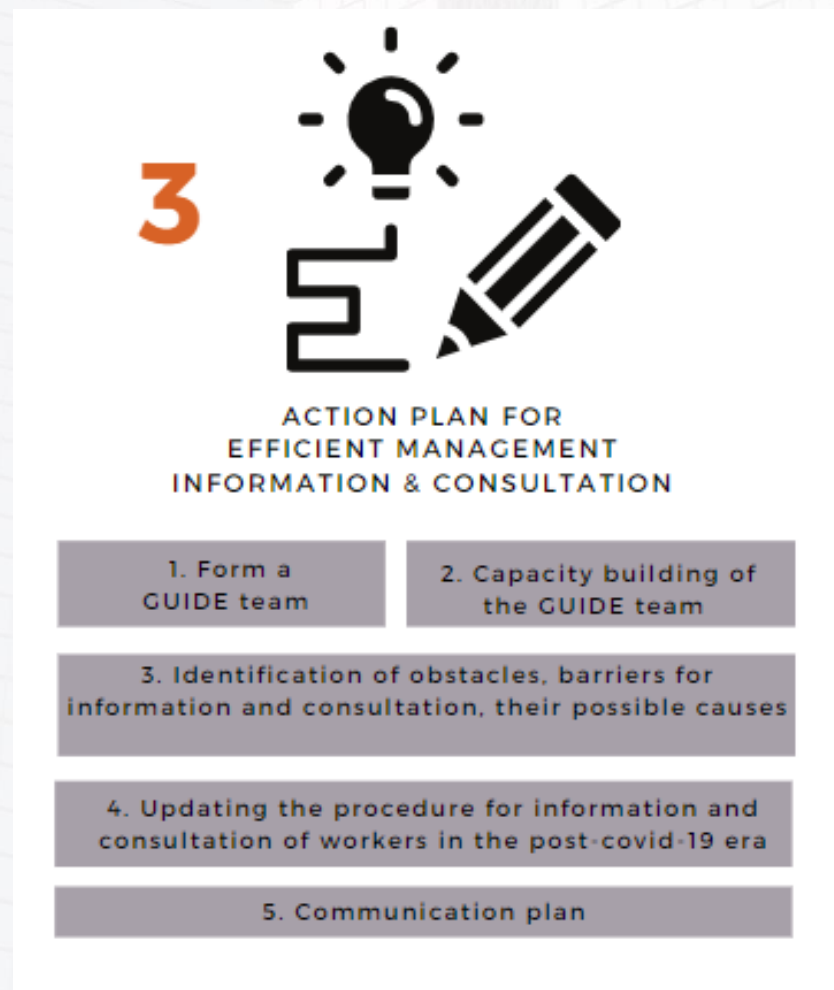


## 5<sup>th</sup> NeNPIC step. Communication plan of the procedure for informing and consulting employees in the post COVID-19 era.

Once the first steps have been defined, it is recommended that a **communication plan be developed**, including at least the following elements:

- an **interest in a culture of dialogue**;
- the strategic steps to be taken to achieve this;
- who will be involved in the information and consultation process;
- and how, when and where they will be able to obtain information of interest to them;
- the forms/methods of consultation available to them.

It is also advisable to **announce any forthcoming challenges the company is currently facing in the transport sector and the appropriate strategy for dealing with them, including information and consultation.**

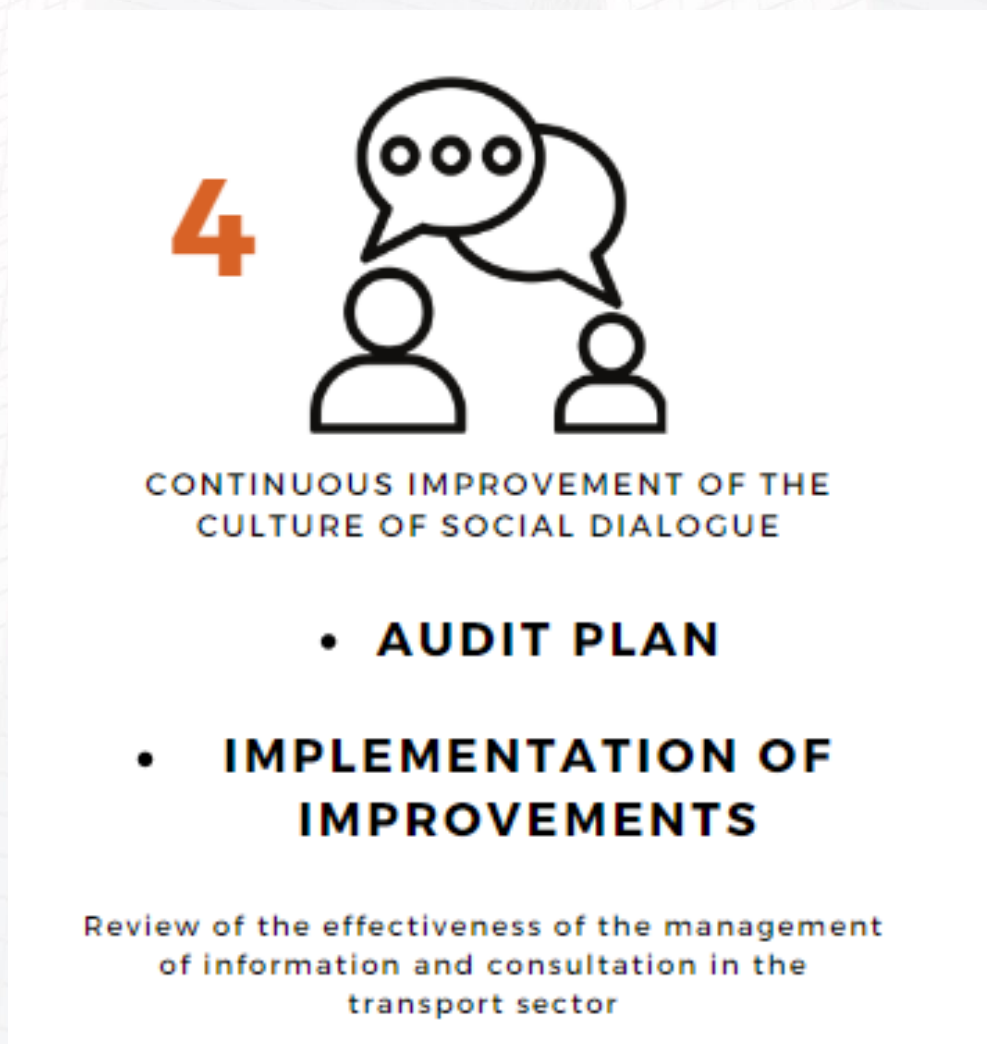


**Figure 12**

#### 4.4 CONTINUOUS IMPROVEMENT BASED ON A CULTURE OF SOCIAL DIALOGUE

It will be in our interest to **review the effectiveness of the management of the right to information and consultation** so that we can identify any deviations from our objective and correct them in the context of **continuous improvement**.

To this end, a **programme of internal audits** will be carried out in accordance with the procedure.



*Figure 13*

## 5. GOOD PRACTICE MODEL FOR EMPLOYEE INVOLVEMENT IN THE FACE OF NEW CHALLENGES IN THE TRANSPORT SECTOR (DIAGRAM)

We are currently in a favourable moment for collaboration within the company. There are many challenges in terms of technology, innovation in logistics processes, infrastructure and plans to develop competences, knowledge and skills that the transport sector will have to address for its employees in order to comply with **European emissions regulations**. For all these reasons, it is all the more necessary to **strengthen and guarantee the participation of employees in the development of the company**.

In what follows, we propose a model for analysing initiatives and solutions to meet the new challenges facing the sector. We suggest that you follow the steps outlined in the model as a guide to action, a roadmap for working on an ACTION PLAN. It will allow you to share your ideas with colleagues and create a consensual team proposal that will help you to get a solid approach to propose to the management of the organisation. You should start by **describing the NENPIC challenge**, list the stages you need to go through to find a solution, continue with the statements in the table below and write **very clearly the role** that employees have to play in the **INFORMATION AND CONSULTATION** process.

ROADMAP_CHALLENGE_NENPIC: _____							
NENPIC	STAGE	What is the OBJECTIVE of each stage?	HOW will it be achieved? List the activities to be carried out.	POSSIBLE OBSTACLES we may encounter in each stage.	What RESOURCES/ALLIES will be needed?		What is the role of INFORMING AND CONSULTING WORKERS at each stage?
					MATERIAL	HUMAN	
1.							
2.							
3.							
NO.							

Figure 14



## 6. BIBLIOGRAPHY

Directive 2001/86/EC. European Company Statute with regard to information and consultation of employees.

Directive 2002/14/EC. General framework for informing and consulting employees in the European Community.

Directive 2009/38/EC. Establishment of a European Works Council or a procedure for informing and consulting employees in Community-scale undertakings or Community-scale groups of undertakings.

European Green Deal. [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/transport-and-green-deal\\_es](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/transport-and-green-deal_es)

The road to social dialogue: A compendium of ILO texts in the road transport sector (1938-2015). [https://www.ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---sector/documents/meetingdocument/wcms\\_730888.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/meetingdocument/wcms_730888.pdf)

New ILO recommendations call for a people-centred approach in the aviation sector. [https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_880459/lang-es/index.htm](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_880459/lang-es/index.htm)

Technical meeting on the future of decent and sustainable work in urban transport services. [https://www.ilo.org/sector/activities/sectoral-meetings/WCMS\\_726155/lang-es/index.htm](https://www.ilo.org/sector/activities/sectoral-meetings/WCMS_726155/lang-es/index.htm)

## 7. ACKNOWLEDGEMENTS TO THE NENPIC PROJECT PARTNERS

We would like to thank the NENPIC project partners who generously shared their experiences to contribute to the development of this guide, which aims to contribute to the development of knowledge in the field in order to be able to successfully support the management of issues that affect our businesses.

TOTAL

# new normal

Building Workers' Post COVID19 Involvement and Consultation Capacity in Transport Undertakings



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